

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

**MAR - 8 2007**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

QK HOTEL, LLC, a Hawaii LLC,

Defendant,

and

KG HOLDINGS, LLC; et al.,

Defendants - Appellants,

v.

SPORTS SHINKO CO., LTD., a Japanese  
corporation in reorganization, through  
Keijiro Kimura, its Deputy Trustee,

Plaintiff-third-party-defendant -  
Appellee,

and

FRANKLIN K. MUKAI,

Defendant-third-party-plaintiff,

v.

SPORTS SHINKO (US) CO., LTD., a  
Delaware corporation,

Third-party-defendant -  
Appellee.

No. 06-17219

D.C. Nos. CV-04-00124-ACK - 222  
CV-04-00125-ACK - 203  
CV-04-00126-ACK - 201  
CV-04-00127-ACK - 201  
CV-04-00127-ACK - 201  
CV-04-00128-ACK - 204

District of Hawaii,  
Honolulu

ORDER

**RECEIVED**  
CLERK, U.S. DISTRICT COURT

**MAR 12 2007**  
11:30 AM  
DISTRICT OF HAWAII

*Handwritten signature/initials*

The court has determined that this appeal will not be selected for inclusion in the Mediation Program.

All further inquiries regarding this appeal, including requests for extensions of time, should be directed to the Clerk's office.

Counsel are requested to contact the undersigned should circumstances develop that warrant further settlement discussions while the appeal is pending.

FOR THE COURT



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David E. Lombardi, Jr.  
Chief Circuit Mediator